IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 253 OF 2007

Nisha @ Kiran Dhiren Roy ..Applicant
V/s
State of Maharashtra ..Respondent.

Mr. Anil V. Dhavale, Advocate for Mr. Subhash Hylyalkar for the applicant.

Mr. Y.S. Shinde, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 5TH FEBRUARY, 2007.

P.C.

. The applicant was arrested in Crime No. 3333/2006 for the offences punishable under Sections 4,5 and 7 of Prevention of Immoral Traffic Act on the allegation that she is a prostitute. By the order dated 17/8/2006, J.M.F.C. Court No. 8, Pune, granted bail to her on furnishing cash security of Rs. 15,000/- and on furnishing proof of her residential address. The applicant and two other accused, who were not in a position to furnish cash security of Rs. 15,000/- moved an application before the Sessions Court and Ad-hoc Additional Sessions Judge, reduced the cash security to Rs. 5000/- along with P.R. bond. Thereafter, the

present applicant moved an application for relaxation of condition of furnishing proof of her residential address. While the learned Ad Hoc Additional Sessions Judge, modified the order and directed her to be released on cash surety of Rs. 15,000/- and furnishing proof of her residential address. Aggrieved by this order the applicant has come to this Court.

2. Heard Mr. Dhavale, learned Counsel for the applicant and Mr. Shinde,learned APP for the State. There appears no justification for increasing cash security amount from Rs. 5000/- to Rs. 15,000/- on the application filed by the applicant for relaxation of condition. Therefore that order does not appear to be proper. Learned Counsel for the applicant states that the applicant cannot give proof of address, because she is in jail for last about six months. Therefore, he wants this condition to be relaxed. He agreed that before being released from the jail the applicant shall furnish her local address to the jail authority and after release, she will also keep police informed about her residential address.

3. The order passed by the 5th Ad-hoc Additional

Sessions Judge stands modified as follows:

. The applicant shall be released on her executing P.R. of Rs.5000/-with cash security in the same amount and on her giving her local residential address to the Jail Superintendent before being released from the jail and after release she shall keep Police, Crime Branch, Pune, informed about her residential address.

. Application stands disposed of accordingly.

(J.H. BHATIA, J.)